

REMARKS

The Final Office Action mailed April 11, 2006, has been received and reviewed. Claims 1, 2, 4-6, 8, 9, 11, 12, 15 and 18 are currently pending in the application. Claims 1, 2, 4-6, 8, 9, 11, 12, 15 and 18 stand rejected. Applicants propose to amend claims 1, 5, 9, 15, and 18, and respectfully request reconsideration of the application as proposed to be amended and with respect to the analysis presented herein.

35 U.S.C. § 102(e) Anticipation Rejections

Anticipation Rejection Based on U.S. Patent No. 5,996,096 to Dell et al.

Claims 1, 2, 4 through 6, 8, 9, 11, 12, 15 and 18 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Dell et al. (U.S. Patent No. 5,996,096). Applicants respectfully traverse this rejection, as hereinafter set forth.

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Brothers v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). The identical invention must be shown in as complete detail as is contained in the claim. *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

Regarding claim 1, as per a telephone conversation with the Examiner, Applicants propose to amend claim 1 to more clearly indicate that the memory module is repaired by physically removing at least one failing discrete memory devices and physically replacing the failing memory device with a replacement discrete memory device. This is opposed to a repair wherein specific addresses of a memory device may be logically replaced with additional memory already on the module.

With this proposed amendment Applicants believe that Dell does not anticipate claim 1. Specifically, it appears to applicants that Dell sets forth a logical replacement of a portion of a faulty memory device by addressing additional memory that is located on the memory module then using data from the additional memory, rather than data from the faulty memory device.

Furthermore, in rejecting claim 1, the Office Action states that Dell et al. teaches repairing or replacing discrete memory devices on the memory module carrier substrate identified as having the at least one refurbishable failure by pointing to Figure 9E and column 6 lines 40-49. Applicants assert that this passage in Dell et al. does not disclose repairing or replacing discrete memory devices. Dell et al. states:

“[i]f the fails are from address locations in the ASIC, **the ASIC is identified for replacement** in function block 118 and the module sent to repair. This could include re-mapping of the ASIC memory failures into alternate ASIC storage locations. If the fails exceed ASIC/EPROM storage limits, **the module is rejected for evaluation and possible rework** in function block 119 and the module sent to repair. If the fails are from non-remapped memory locations, the EPROM is re-written in function block 120 to add new address/chip filing locations” (col. 6, lines 40-49, emphasis added).

In other words, with respect to replacement, Dell et al. discloses replacing the ASIC, not the discrete memory devices. Furthermore, Applicants assert that it is not necessarily implied from Dell et al. that the discrete memory devices may be replaced as part of the “possible rework.” In the quoted passage above, when discussing the ASIC Dell et al. explicitly state that the ASIC is identified for replacement and the module sent to repair. However, when discussing failures beyond the storage limit of the ASIC/EPROM, rather than explicitly stating that memory devices are identified for replacement, Dell et al. simply state that the module is rejected for evaluation and possible rework and state nothing about how this rework would be performed. As an example, the rework could include replacing the ASIC/EPROM with higher memory capacity devices to handle more failing address locations in the memory devices already on the module.

Conversely, the present invention as recited in amended claim 1 includes, “wherein the memory module carrier substrate is repaired by physical removal of the at least one failing discrete memory device at the device location, and disposition of at least one replacement discrete memory device at the device location.” In other words, rather than a logical replacement of a portion of a memory device, the present invention as recited in amended claim 1 uses a physical replacement of an entire memory device.

For these reasons, Applicants assert that Dell et al. do not set forth each and every element of amended claim 1 as required for a 35 U.S.C §102 rejection. Therefore, Applicants respectfully request that the rejection of claim 1 be withdrawn.

Regarding claims 2 and 4, these claims depend from now allowable amended claim 1. Therefore, at least by virtue of their dependency from an allowable claim, these claims are now allowable and Applicants respectfully request that that rejection of claims 2 and 4 be withdrawn.

Regarding claim 5, this claim includes proposed amendments similar to those proposed for claim 1. Therefore, the analysis presented above with respect to claim 1 is equally applicable to claim 5. As a result, Applicant respectfully requests that the rejection of claim 5 be withdrawn.

Regarding claims 6 and 8, these claims depend from now allowable amended claim 5. Therefore, at least by virtue of their dependency from an allowable claim, these claims are now allowable and Applicants respectfully request that that rejection of claims 6 and 8 be withdrawn.

Regarding claim 9, this claim includes proposed amendments similar to those proposed for claim 1. Therefore, the analysis presented above with respect to claim 1 is equally applicable to claim 5. As a result, Applicant respectfully requests that the rejection of claim 9 be withdrawn.

Regarding claims 11 and 12, these claims depend from now allowable amended claim 9. Therefore, at least by virtue of their dependency from an allowable claim, these claims are now allowable and Applicants respectfully request that that rejection of claims 11 and 12 be withdrawn.

Regarding claim 15, this claim includes proposed amendments similar to those proposed for claim 1. Therefore, the analysis presented above with respect to claim 1 is equally applicable to claim 5. As a result, Applicant respectfully requests that the rejection of claim 15 be withdrawn.

Regarding claim 18, this claim depends from now allowable amended claim 15. Therefore, at least by virtue of its dependency from an allowable claim, this claim is now allowable and Applicants respectfully request that that rejection of claim 18 be withdrawn.

ENTRY OF AMENDMENTS

The proposed amendments to claims 1, 5, 9, 15, and 18 above should be entered by the Examiner because the amendments are supported by the as-filed specification and drawings and do not add any new matter to the application. Finally, if the Examiner determines that the amendments do not place the application in condition for allowance, entry is respectfully requested upon filing of a Notice of Appeal herein.

CONCLUSION

Claims 1, 2, 4-6, 8, 9, 11, 12, 15 and 18 are believed to be in condition for allowance, and an early notice thereof is respectfully solicited. Should the Examiner determine that additional issues remain which might be resolved by a telephone conference, he is respectfully invited to contact Applicants' undersigned attorney.

Respectfully submitted,



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